



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-16; Amdts. 172-3, 173-8]

PART 172—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 171-179 OF THIS CHAPTER

PART 173—SHIPPERS

Shipment of Benzene Phosphorus Dichloride and Benzene Phosphorus Thiodichloride

The purpose of these amendments to the Hazardous Materials Regulations is to prescribe specific packaging for shipping benzene phosphorus dichloride and benzene phosphorus thiodichloride.

On March 12, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-16; Notice No. 69-4 (34 F.R. 5112) to authorize the shipment of certain corrosive liquids in tank motor vehicles and tank cars where the regulations do not currently authorize the use of such transport vehicles. Additionally, shipments in smaller packages were also provided for. Specific commodity descriptions were proposed for addition to § 172.5 and a new § 173.250a was pro-

posed for the packaging requirements. Interested persons were afforded an opportunity to participate in this rule making.

Two respondents submitted written comments on the notice. One suggested a reevaluation of the adequacy of the numerous types of packagings provided in § 173.245 on the premise that some of the packages may not be suitable for these commodities in air transportation. The additions to § 172.5 do not constitute initial authorization for movement by air since heretofore, these materials could be shipped as "Corrosive liquid, n.o.s.". As such, shipments were authorized for air transportation as provided for in 14 CFR §§ 103.7 and 103.9. The other commenter recommended that cargo tanks be lined as specified in § 178.343. To clarify the corrosion protection required for cargo tanks, reference to the provision for such protection in specification MC 312 has been included. Additionally, paragraph (a) (1) of § 173.250a has been modified by the Board to assure the use of packagings compatible with their contents.

In consideration of the foregoing, 49 CFR Parts 172 and 173 are amended effective September 3, 1969 as follows. However, compliance with the regulations as amended herein is authorized immediately.

I. Part 172 is amended as follows:

(A) In § 172.5 paragraph (a) Commodity List is amended as follows:

§ 172.5 List of explosives and other dangerous articles.

(a) * * *

II. Part 173 is amended as follows:

(A) In Part 173 the Table of Contents is amended by adding § 173.250a to read as follows:

Sec.

173.250a Benzene phosphorus dichloride and benzene phosphorus thiodichloride.

(B) Section 173.250a is added to read as follows:

§ 173.250a Benzene phosphorus dichloride and benzene phosphorus thiodichloride.

(a) Benzene phosphorus dichloride and benzene phosphorus thiodichloride must be packaged as follows:

(1) In packagings prescribed in § 173.245 which are made of or lined with materials compatible with the lading.

(2) Spec. MC 310, MC 311, or MC 312 (§ 178.343) cargo tanks. Corrosion protection must be provided in accordance with spec. MC 312.

(3) Spec. 103AW (§§ 179.200 and 179.201) tank cars. Tanks must be lined.

This amendment is made under the authority of sections 831-835 of title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C., on June 19, 1969.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

F. C. TURNER,
Administrator,
Federal Highway Administration.

[F.R. Doc. 69-7529; Filed, June 25, 1969;
8:48 a.m.]

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
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Add				
Benzene phosphorus dichloride.....	Cor. L.....	173.244 173.250a	White.....	5 pints.
Benzene phosphorus thiodichloride.....	Cor. L.....	173.244 173.250a	White.....	5 pints.
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